

REMARKS

Initially, Applicants would like to express their appreciation to the Examiner for the detailed Official Action provided.

Applicants also acknowledge with appreciation the indication that claims 38 contain allowable subject matter.

Applicants submit that the instant amendment is proper for entry after final rejection. Applicants note that no question of new matter or any new issues are raised by entry of the instant amendment of the claims, and that no new search is required.

Moreover, Applicants submit that the instant amendment places the application in condition for allowance, or at least in better form for appeal. That is, by incorporating the indicated allowable features of dependent claim 38 and intervening claims 36 and 37 into independent claim 21.

Accordingly, Applicants request that the Examiner enter the instant amendment, consider the merits of the same, and indicate the allowability of the present application and each of the pending claims.

Upon entry of the above amendments, claims 21 and 24 will have been amended and claims 1-20 and claims 28-38 will have been canceled without prejudice or disclaimer to the subject matter contained-therein. Claims 21 and 23-27 are currently pending. Applicants respectfully request reconsideration of the outstanding rejections, and allowance of all the claims pending in the present application.

Rejection Under 35 U.S.C. §102 and 103

In the Official Action, the Examiner rejected claims 21 and 23-26 under 35 U.S.C. § 102(b) as being anticipated by OKUNO et al. (U.S. Patent No. 5,338,008);

the Examiner rejected claim 27 under 35 U.S.C. § 103(a) as being unpatentable over OKUNO in view of CAMPBELL (U.S. Patent No. 4,334,646); and

the Examiner rejected claims 36 and 37, with an alternative interpretation of OKUNO, under 35 U.S.C. § 102(b) as being anticipated by OKUNO.

Without acquiescing to the propriety of the Examiner's above-listed rejections, Applicants have amended independent claim 21 to incorporate the features recited in dependent claims 36, 37 and 38 (claim 38 indicated as containing allowable subject matter, and claims 36 and 37 being intervening claims).

Therefore, Applicants submit that it is not necessary to discuss the appropriateness of the above-listed rejections.

Further, Applicants submits that claims 23-27, which depend from claim 21, have also been placed in allowable form at least by virtue of their dependency from claim 21.

***Request for An Early Indication of Allowance
of All of the Pending Claims***

In view of the amendments and remarks herein, Applicants submit that independent claim 21 [*having been amended to incorporate the features of claim 38, and intervening claims 36 and 37, which the Examiner has indicated as being allowable*] are in condition for allowance.

With regard to dependent claims 23-27, Applicants assert that these claims are allowable on their own merit, as well as because of their dependency from independent claim 21, which Applicants have demonstrated as being allowable (i.e., for reasons discussed supra).

Thus, it is respectfully submitted that all pending claims in the present application are clearly patentable over the references cited by the Examiner, either alone or in combination, and an indication to such effect is respectfully requested, in due course.

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SUMMARY

Applicants submit that the present application is in condition for allowance, and respectfully requests an indication to that effect. In this regard, Applicants have demonstrated the allowability of the claims. Accordingly, reconsideration of the outstanding Official Action and allowance of the present application and all the claims therein are respectfully requested and is now believed to be appropriate.

Applicants note that this amendment is being made to advance prosecution of the application to allowance and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejections is made by the present amendment. All other amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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